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DEPT FOR T, VCI AND EUR/PRA
DOE FOR NNSA/NA-24
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JCS FOR J5/DDGSA
SECDEF FOR OSD(P)/STRATCAP
NAVY FOR CNO-N5JA AND DIRSSP
AIRFORCE FOR HQ USAF/ASX AND ASXP
DTRA FOR OP-OS OP-OSA AND DIRECTOR
NSC FOR LOOK
DIA FOR LEA

E.O. 12958: DECL: 12/19/2019
TAGS: [KACT](#) [MARR](#) [PARM](#) [PREL](#) [RS](#) [US](#) [START](#)
SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA
(SFO-GVA-VII): (U) U.S.-PROPOSED JOINT DRAFT TEXT OF THE
PROTOCOL, DECEMBER 19, 2009 (CABLE 11 OF 12 CABLES)

REF: A. GENEVA 1208 (SFO-GVA-VII-162 CABLE 1 OF 12 CABLES)
[1](#)B. GENEVA 1209 (SFO-GVA-VII-162 CABLE 2 OF 12 CABLES)
[1](#)C. GENEVA 1210 (SFO-GVA-VII-162 CABLE 3 OF 12 CABLES)
[1](#)D. GENEVA 1211 (SFO-GVA-VII-162 CABLE 4 OF 12 CABLES)
[1](#)E. GENEVA 1212 (SFO-GVA-VII-162 CABLE 5 OF 12 CABLES)
[1](#)F. GENEVA 1213 (SFO-GVA-VII-162 CABLE 6 OF 12 CABLES)
[1](#)G. GENEVA 1214 (SFO-GVA-VII-162 CABLE 7 OF 12 CABLES)
[1](#)H. GENEVA 1215 (SFO-GVA-VII-162 CABLE 8 OF 12 CABLES)
[1](#)I. GENEVA 1216 (SFO-GVA-VII-162 CABLE 9 OF 12 CABLES)
[1](#)J. GENEVA 1217 (SFO-GVA-VII-162 CABLE 10 OF 12
CABLES)

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

[1](#)1. (U) This is SFO-GVA-VII-162.

[1](#)2. (S) The text at Paragraph 3 is the working document from which the U.S.-Proposed Joint Draft Text of the Protocol to the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms dated December 19, 2009 will be prepared. It establishes the baseline for the next round of the negotiations. Because of the length of the document, text will be sent as separate cables. This is Cable 11 of 12 cables.

[1](#)3. (S) Begin text:

Section VII. Inspections of Non-Deployed Strategic Offensive Arms, Deployed Heavy Bombers at Conversion or Elimination Facilities, and Formerly Declared Strategic Offensive Arms

Facilities Conducted in Accordance with Paragraph 3 of
Article XI of the Treaty (Type Two Inspections)

¶1. Each Party shall have the right to conduct Type Two inspections at ICBM loading facilities; SLBM loading facilities; storage facilities for ICBMs, SLBMs, and mobile launchers of ICBMs; repair facilities for ICBMs, SLBMs, and mobile launchers of ICBMs; test ranges; training facilities; ((and))1 conversion or elimination facilities for ICBMs, SLBMs, mobile launchers of ICBMs, and conversion or elimination facilities for deployed heavy bombers((.))1 ((; and air bases for heavy bombers equipped for non-nuclear armaments.))2 The purpose of such inspections shall be to confirm the accuracy of declared technical characteristics and data, specified for such facilities, on the numbers and types of non-deployed ICBMs and non-deployed SLBMs, first stages of ICBMs and SLBMs, non-deployed ICBMs, ((and))1 deployed heavy bombers ((; and to confirm that strategic offensive arms have been converted or eliminated))2.

In addition, each Party shall have the right to conduct Type Two inspections at formerly declared facilities, which are listed in Part Two of this Protocol and that were inspectable prior to their elimination, to confirm that these facilities are not being used for purposes inconsistent with the Treaty.

¶2. Each Party shall have the right to conduct a total of no more than eight Type Two inspections each year, with no more than two such inspections each year at the same facility. Inspections of formerly declared strategic offensive arms facilities may be conducted beginning 60 days after

notification of the elimination of the facility has been provided, in accordance with Part Four of this Protocol.

¶3. No later than one hour after the time for the designation of the inspection site specified in the notification provided earlier for such an inspection in accordance with Part Four of this Protocol, the inspected Party shall implement the following pre-inspection restrictions at the inspection site, which shall remain in effect until the pre-inspection procedures are completed:

(a) For facilities other than facilities specified in subparagraph (b) below, the following items shall not be removed from the inspection site: non-deployed ICBMs and non-deployed SLBMs; first stages of ICBMs and SLBMs; non-deployed launchers of ICBMs; containers, launch canisters, and closed vehicles large enough to contain an item of inspection of the inspected Party; and covered objects large enough to contain or to be an item of inspection of the inspected Party.

(b) For conversion or elimination facilities for heavy bombers, heavy bombers located at the inspected facility shall not leave the inspection site.

¶4. Upon arrival at the inspection site, a member of the in-country escort shall inform the inspection team leader in writing of the numbers, and, as applicable, type, category, variant, and version of non-deployed ICBMs, non-deployed SLBMs, first stages of ICBMs or SLBMs, test launchers, training launchers, non-deployed launchers of ICBMs, and heavy bombers at this inspection site at the time pre-inspection restrictions went into effect. At the same time, the member of the in-country escort shall provide the inspection team leader with one copy of the site diagram of the inspection site, annotated, if applicable, to indicate the location of such items and the structures or vehicles in which they are located. If any of the items specified in Part Two of this Protocol for an inspection site are absent from the inspection site at the time of the arrival of the inspection team at the inspection site, a member of the in-country escort shall inform the inspection team leader of the type and, if applicable, variant, and the reason for the absence of each such item.

15. For all facilities listed in paragraph 1 of this Section, other than conversion or elimination facilities for heavy bombers, the procedures for which are provided in paragraph 6 of this Section, the inspectors shall have the right, in accordance with procedures provided for in the Annex on Inspection Activities to this Protocol, to inspect within the boundaries of the inspection site, including the structures large enough to contain an item of inspection.

For test ranges the same procedures shall apply, with the following exceptions:

(a) In carrying out the procedures provided for in the Annex on Inspection Activities to this Protocol, the inspected Party shall not be required to remove non-deployed ICBMs or non-deployed SLBMs from test launchers or soft-site launchers. Such non-deployed ICBMs or non-deployed SLBMs shall not be subject to measurement;

(b) For test silo launchers, regardless of where they are shown on the site diagram of the test range, the inspection team shall have the right to inspect, at its choice, no more than one silo launcher of ICBMs that the inspected Party declares not to contain an ICBM or a training model of a missile. Inspection of such a silo launcher of ICBMs shall be conducted in accordance with the procedures provided for in the Annex on Inspection Activities to this Protocol for the purpose of confirming that it does not contain an ICBM; and

(c) For launch canisters, the inspection team shall have the right to confirm that all launch canisters located within the boundaries of the inspection site that are declared to be empty are, in fact, empty.

16. For conversion or elimination facilities for heavy bombers:

(a) The inspecting Party shall have the right to inspect all heavy bombers located at the facility at the time pre-inspection restrictions went into effect. Such inspections shall be conducted to confirm the data on the numbers by type and, if applicable, category and variant, of these heavy bombers;

(b) Inspections of heavy bombers shall be conducted as provided for in the Annex on Inspection Activities to this Protocol; and

(c) For inspections at such facilities, the item of inspection shall be a heavy bomber. For structures within the boundaries of the inspection site large enough to contain an item of inspection, inspectors shall have the right to ascertain whether or not that structure contains a heavy bomber.

17. For conversion or elimination facilities for ICBMs, SLBMs, or mobile launchers of ICBMs, the inspection team shall have the right to confirm that all launch canisters located within the boundaries of the inspection site declared to be empty are, in fact, empty.

((8. Inspectors shall have the right to read the data from the unique identifiers on all ICBMs and SLBMs located at the inspection site except for such ICBMs and SLBMs located in test launchers and soft site launchers of ICBMs or SLBMs.))1

((9))1 ((8))2. Notwithstanding any other provisions of this Part, silo training launchers of ICBMs and test heavy bombers shall not be subject to inspection.

10. The inspection team shall have the right to confirm that ICBMs or SLBMs declared to be training models of missiles are training models of missiles based on differences specified in Part Two of this Protocol unless such items are located in silo training launchers.

Section VIII. Exhibitions

¶1. Exhibitions shall be conducted at the invitation of the Party conducting the exhibition, separately from inspections, in the time period and location chosen by the Party conducting the exhibition, and in accordance with the Annex on Inspection Activities to this Protocol.

¶2. Each Party shall conduct exhibitions, and shall have the right to take part in exhibitions conducted by the other Party, to demonstrate the distinguishing features and to confirm technical characteristics of each new type, variant, or version of an ICBM, SLBM, ((deployed heavy bomber,))¹ or, as set forth in Section VII of Part Two of this Protocol, an ICBM launcher, at the times specified in relevant notifications. If a Party declares ((such))¹ a type, variant, or version of strategic offensive arm prior to or at the time of entry into force of this Treaty for which no exhibition had been previously conducted in conjunction with fulfilling the requirements of the START Treaty, that Party shall conduct an exhibition. Such an exhibition shall be conducted no later than the date on which inspection activities begin, as provided for in Section I of this Part.

¶3. Each Party shall conduct exhibitions, and shall have the right to take part in exhibitions conducted by the other Party, to demonstrate the results of the conversion of the first item of a type of ICBM launcher, SLBM launcher, or heavy bomber equipped for nuclear armaments that was converted using conversion procedures ((for the first time for that type of a strategic offensive arm))¹ in accordance with Part Three of this Protocol at the times specified in relevant notifications.

((4. Each of the Parties shall conduct conversion or elimination confirmation exhibitions, and shall have the right to take part in such exhibitions, to confirm the conversion or elimination procedures have been completed on ICBMs, SLBMs, ICBM launchers, SLBM launchers, and heavy bombers equipped for nuclear armaments, in accordance with Part Three of this Protocol at the times specified in relevant notifications.))¹

Section IX. Cancellation of Inspection Activities

¶1. An inspection activity shall be cancelled if, due to circumstances brought about by force majeure, it cannot be conducted. If an inspection is cancelled due to circumstances brought about by force majeure, the number of inspections to which the inspecting Party is entitled shall not be reduced. For exhibitions cancelled due to circumstances brought about by force majeure, the Parties shall also agree on the new time periods for conducting such exhibitions.

¶2. In the case of a delay, including a delay due to circumstances brought about by force majeure, that prevents an inspection team from arriving at the inspection site during the time specified in paragraph 7 of Section V of this Part, the inspection team leader may either cancel or conduct the inspection. If an inspection is canceled for that reason, the number of inspections to which the inspecting Party is entitled shall not be reduced.

¶3. At the inspection site, if the time to transport an inspection team or subgroup exceeds the times specified in paragraph 8 of Section VI of this Part, the inspection team

leader may either cancel or conduct the inspection. If an inspection is canceled for that reason, the number of inspections to which the inspecting Party is entitled shall not be reduced.

¶4. If due to circumstance brought about by force majeure,

items subject to pre-inspection movement restrictions must be removed from the inspection site, the inspection team leader may either cancel or conduct the inspection. If an inspection is canceled for that reason, the number of inspections to which the inspecting Party is entitled shall not be reduced.

¶5. If the inspected Party interrupts the inspection for reasons of personnel or equipment safety, the inspection team leader may either cancel or conduct the inspection. If an inspection is canceled for that reason, the number of inspections to which the inspecting Party is entitled shall not be reduced.

Section X. Inspection Activity Reports

¶1. During post-inspection procedures the inspection team leader shall provide the in-country escort with an official written inspection activity report in the language of the inspecting Party and an unofficial translation of the report in the language of the inspected Party.

¶2. The report shall be factual. It shall include the type of inspection activity conducted; the inspection site; the type and number of strategic offensive arms subject to the Treaty which were declared during the pre-inspection procedures and which were observed during the period of inspection activity and all measurements recorded during the inspection activity.

¶3. Photographs taken during the inspection activities as well as any site diagrams of the inspection site provided during pre-inspection procedures shall be considered to be part of the report. The report shall be signed by the inspection team leader and by a member of the in-country escort. The inspecting Party shall have the right to include in the report ambiguities or comments drawn up in written form. The inspected Party shall have the right to include written clarifications in the report. Each Party shall retain one copy of the report.

¶4. The Parties shall, when possible, clarify ambiguities regarding factual information contained in the inspection activities report. Relevant clarifications shall be recorded in the report.

(())1 Proposed by the United States
(())2 Proposed by the Russian Federation

End text.

¶4. (U) Gottemoeller sends.
GRIFFITHS